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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,764	03/15/2004	Sanjay Kapoor	09334.0002	8639
22852	7590	09/08/2006	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			VY, HUNG T	
			ART UNIT	PAPER NUMBER
			2163	

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/799,764

Applicant(s)

KAPOOR ET AL.

Examiner

Hung T. Vy

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As in claims 1, 7 and 13, the method for *providing navigation within an application* does not produce a useful, concrete and tangible result as set forth in 2106 (IV)(B)(2)(b)(ii), e.g., *providing, prior to displaying any of the plurality of contexts for display data, a plurality of second user-selectable elements, each one of the plurality of second user-selectable elements associated with a different one of the plurality of contexts for display data* is not a tangible result because *the plurality of second user-selectable elements, each one of the plurality of second user-selectable elements associated with a different one of the plurality of contexts for display* does not providing navigation within the application. The claim invention does not produce a useful because the method does not meet the requirement as recited in the preambles, e.g., *providing navigation within an application*.

Claims 2-6, 8-12 and 14-18 depend on claims 1, 7 and 13 so they are directed to non-statutory subject matter.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claims 1, 7 and 13, the phrase "a primary process" renders indefinite claim because it is not clear what is the primary process within the application. The phrase "a plurality of contexts for display data" renders indefinite claim and confusing because it is not clear what data is displayed.

With respect to claim 1, line 7, the phrase "the plurality of contexts" renders indefinite claim because it is not clear is this *contexts of display data* in line 5.

With respect to claim 1, line 9, the phrase "different one" renders indefinite claim because it is not clear which the plurality of contexts for display that claim refers to.

With respect to claims 6, 12 and 18, the phrase "a primary process" renders indefinite claim because it is not clear what is the primary process within the application.

Claims 2-6, 8-12 and 14-18 depend on claims 1, 7 and 13 so they renders indefinite claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-18 are rejected under 35 U.S.C. 102 (e) as being anticipated by Bates et al. (U.S. Patent No. 6,865,713).

Regarding claims 1, 7 and 13, with best understood, Bates et al. discloses a method for providing navigation within an application, the method comprising: a memory storage (32) for maintaining an internal data structure in a context for display database and processing unit (31) coupled to the memory storage and configured to (see fig. 2), receiving a first data input (42) (fig.3) or (76)(fig. 13); using meta-data, the meta-data corresponding to a primary process within the application (70) for displaying a plurality of contexts for display data (222, fig. 13) or (54, fig. 3), to determine the plurality of contexts for display data associated with the first data input (76), and providing, prior to displaying any of the plurality of contexts for display data, a plurality of second user-selectable elements (228, 232, 230, e.g.), each one of the plurality of second user-selectable elements associated with a different one of the plurality of contexts for display data (see fig. 11-14).

Regarding claims 2, 8, and 14, with best understood, Bates et al. discloses providing a first user selectable element (76) prior to receiving the first data input (fig 4).

Regarding claim 3, 9, and 15, Bates et al. discloses the first data input (76) with the first user-selectable element (222)(see fig. 13).

Regarding claims 4, 10, and 16, with best understood, Bates et al. discloses receiving a second data input associated with a first one of the plurality of second user selectable elements (228, 232,230)(see fig. 13).

Regarding claims 5, 11 and 17, with best understood, Bates et al. discloses displaying a first one (226) of the plurality of contexts for display data associated with the first one of the plurality of second user-selectable elements (234, 232, 230)(see fig. 13).

Regarding claims 6, 12 and 18, with best understood, Bates et al. discloses providing by the primary process, after displaying a one of the plurality of contexts for display data (222), a plurality of third user-selectable elements (54), each one of the plurality of third user-selectable elements associated with a different one of the plurality of contexts for display data (see fig. 3).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Vy whose telephone number is (571) 2721954. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K. Wong can be reached on (571)2721934. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2163

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



WILSON LEE
PRIMARY EXAMINER